

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

CHARMAINE HIBBERT,

Plaintiff,

-against-

MONTEFIORE MEDICAL CENTER,

Defendant.

23-CV-09589 (JHR)(RFT)

ORDER

ROBYN F. TARNOFSKY, United States Magistrate Judge:

Pending before the Court is request by Plaintiff Charmaine Hibbert for exemption from the fees imposed by the Electronic Public Access fee schedule adopted by the Judicial Conference of the United States Courts. (*See* ECF 105.)

The Court finds that Plaintiff, who is proceeding in this action without counsel and in forma pauperis (*see* ECF 5, Order Granting IFP Application), falls within the class of users listed in the fee schedule as being eligible for a fee exemption. Plaintiff states that, in 2023, she injured her back in an accident and is limited in her work, and that she cannot afford the fees to view her case's docket. (*See* ECF 105 at 3.) Plaintiff has demonstrated that an exemption is necessary to avoid unreasonable burdens and to promote public access to information. Accordingly, Plaintiff shall be exempt from the payment of fees for access via PACER to the electronic case files maintained by this court for case number 23-cv-09589-(JHR) (RFT), in which she is the plaintiff.

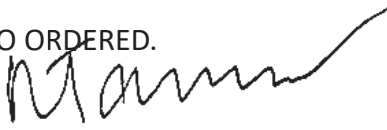
She shall not be exempt from the payment of fees incurred in connection with other uses of the PACER system in this court. Additionally, the following limitations apply:

1. This fee exemption applies only to Plaintiff Charmaine Hibbert and is valid only for the purposes stated above;
2. This fee exemption applies only to the electronic case files of this court that are available through the PACER system;
3. By accepting this exemption, Ms. Hibbert agrees not to sell for profit any data obtained as a result of receiving this exemption;
4. Ms. Hibbert is prohibited from transferring any data obtained as a result of receiving this exemption, including redistribution via internet-based databases;
5. This exemption is valid retroactively to October 30, 2023 until June 9, 2025.

This exemption may be revoked at the discretion of the Court at any time. A copy of this order shall be sent to the PACER Service Center. The Clerk of Court is respectfully directed to terminate ECF 105.

DATED: June 9, 2025
New York, NY

SO ORDERED.

A handwritten signature in black ink, appearing to read 'Robyn F. Tarnofsky', written over a horizontal line.

ROBYN F. TARNOFSKY
United States Magistrate Judge